

UNITED STATES DEPARTMENT OF JUSTICE
OFFICE OF THE UNITED STATES TRUSTEE
Leo O'Brien Federal Building
11A Clinton Avenue Room 620
Albany, New York 12207
(518) 434-4553

UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT

In re:

HERMITAGE INN REAL ESTATE
HOLDING COMPANY, LLC

Case No.: 19-10214-CAB
Chapter 7 Involuntary

Putative Debtor.

United States Trustee's Ex Parte Application to Appear by Phone

William K. Harrington, the United States Trustee for Region 2 ("United States Trustee"), by and through counsel, and in furtherance of certain duties and responsibilities pursuant to 28 U.S.C. § 586, hereby seeks Court permission to appear by phone at the hearing tomorrow in the above-captioned case. In support of this application, the United States Trustee for Region 2 states:

1. On the June 19, 2019, the Putative Debtor ("HIREHCO") filed an Emergency Motion for Order Authorizing the Debtor to Assume Insurance Premium Finance Agreement and to Provide Adequate Protection "(Emergency Insurance Motion)"(ECF No. 90).

2. The Court entered a Scheduling Order (ECF No. 93) and scheduled a hearing on the Emergency Insurance Motion for June 25, 2019 at 1:30 pm in Burlington. (ECF No. 93). Written objections were due to be filed before 10:00 am June 24, 2019. The United States Trustee and two secured creditors filed timely objections (ECF Nos. 99, 100, 101).

3. In the Scheduling Order, the Court directed parties wishing to appear by phone to seek leave of Court and make a showing of cause. The United States Trustee respectfully requests

that the Court allow a representative of the United States Trustee to appear by phone for the hearing tomorrow.

4. The United States Trustee Program does not maintain an office in the District of Vermont. Rather, the United State Trustee's Albany Office is responsible for overseeing the administration of all bankruptcy cases filed in the District of Vermont. The Albany Office is approximately 150 miles south of the Federal Courthouse in Burlington. By car, the trip is over 3 hours each way. Due to safety concerns, a staff person travelling alone from the Albany Office to Burlington to attend court hearings would not typically make the round trip in a single day.

5. Furthermore, the United States Trustee has set forth his position in the written objection he filed (ECF No. 101). Even if counsel for the United States Trustee were to appear in-person tomorrow at the hearing in Burlington, it is unlikely that any oral argument presented to the Court would vary significantly from the United States Trustee's filed objection.

WHEREFORE, for these reasons, the United States Trustee respectfully requests permission to appear by phone for the hearing scheduled for 1:30 pm June 25, 2019 in this case, and for such further relief as the Court deems just and proper.

Dated: Albany, New York
June 24, 2019

Respectfully submitted,

WILLIAM K. HARRINGTON
UNITED STATES TRUSTEE
FOR REGION 2

By: /s/ Amy J. Ginsberg
Amy J. Ginsberg, Trial Attorney
United States Trustee
11A Clinton Ave, Room 620
Albany, NY 12207
amy.j.ginsberg@usdoj.gov
Voice: (518) 434-4553
Fax: (518) 434-4459